

UNOFFICIAL VERSION

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THURSDAY, APRIL 6, 2017

TWENTY-THIRD LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and pursuant to Senate Rule of Order 3, was called to order by Speaker Pro Tempore Tracy.

PRAYER

The proceedings were opened with prayer by Brother John Bush of Beech Hill Church of Christ in Pulaski, Tennessee, a guest of Senator Tracy.

PLEDGE OF ALLEGIANCE

Senator Crowe led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Crowe led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

COMMUNICATIONS

April 5, 2017

Lt. Gov. Randy McNally
1 LP
Nashville, TN 37243

RE: Thursday, April 6, 2017

Dear Lt. Gov. McNally:

I will be out of the office and not able to attend Session on Thursday, April 6, 2017.

Please approve my not being present and feel free to call me if you have any questions.

Sincerely,

/s/ Mark E. Green, M.D.
State Senator

APPROVED: Lieutenant Governor
Randy McNally

April 6, 2017

The Honorable Randy McNally, Speaker
1 Legislative Plaza
Nashville, TN 37243

Dear Mr. Speaker,

Please excuse me from Session today. Per doctor's orders, I am staying home and in bed.

Sincerely,

/s/ Senator Kerry Roberts

APPROVED: Lieutenant Governor
Randy McNally

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 704, 828 with amendment, 970, 1192, 1209 and 1214.

WATSON, Chairperson
April 4, 2017

The Speaker announced that he had referred Senate Bills Nos. 704, 828 with amendment, 970, 1192, 1209 and 1214 to the Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 520, 645 with amendment, 796 with amendment and 1079 with amendment; also, recommend that Senate Bill No. 786 with amendment be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson
April 4, 2017

The Speaker announced that he had referred Senate Bills Nos. 520, 645 with amendment, 796 with amendment and 1079 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 786 with amendment to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 14 with amendment, 156 and 897 with

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amendment; also, recommend that Senate Bills Nos. 271 with amendment, 462 and 779 with amendment be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson
April 4, 2017

The Speaker announced that he had referred Senate Bills Nos. 14 with amendment, 156 and 897 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 271 with amendment, 462 and 779 with amendment to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 553 with amendment and 555; also, recommend that Senate Bills Nos. 432 with amendment, 552 with amendment and 887 with amendment be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson
April 4, 2017

The Speaker announced that he had referred Senate Bills Nos. 553 with amendment and 555 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 432 with amendment, 552 with amendment and 887 with amendment to the Committee on Finance, Ways and Means.

COMMERCE AND LABOR

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 51, 298 with amendment, 429 with amendment, 473 with amendment, 820 with amendment, 849 with amendment, 1237 with amendment and 1267 with amendment; and Senate Joint Resolution No. 294; also, recommend that Senate Bills Nos. 430 with amendment and 475 with amendment be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson
April 4, 2017

The Speaker announced that he had referred Senate Bills Nos. 51, 298 with amendment, 429 with amendment, 473 with amendment, 820 with amendment, 849 with amendment, 1237 with amendment and 1267 with amendment; and Senate Joint Resolution No. 294 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 430 with amendment and 475 with amendment to the Committee on Finance, Ways and Means.

HEALTH AND WELFARE

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 313 with amendment, 489 with

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amendment, 523 with amendment and 597 with amendment; Senate Joint Resolution No. 250; and House Joint Resolution No. 108; also, recommend that Senate Bills Nos. 185 with amendment, 214 with amendment, 398 with amendment and 595 be referred to Committee on Finance, Ways and Means.

CROWE, Chairperson
April 5, 2017

The Speaker announced that he had referred Senate Bills Nos. 313 with amendment, 489 with amendment, 523 with amendment and 597 with amendment; Senate Joint Resolution No. 250; and House Joint Resolution No. 108 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 185 with amendment, 214 with amendment, 398 with amendment and 595 to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1168; also, recommend that Senate Bill No. 1176 with amendment be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson
April 5, 2017

The Speaker announced that he had referred Senate Bill No. 1168 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1176 with amendment to the Committee on Finance, Ways and Means.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 322 with amendment, 330 with amendment, 568, 616 with amendment, 665, 763, 875 with amendment, 927, 1060 with amendment, 1089 with amendment, 1160, 1224 with amendment and 1283 with amendment; also, recommend that Senate Bills Nos. 904 with amendment, 907 with amendment and 940 with amendments be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson
April 5, 2017

The Speaker announced that he had referred Senate Bills Nos. 322 with amendment, 330 with amendment, 568, 616 with amendment, 665, 763, 875 with amendment, 927, 1060 with amendment, 1089 with amendment, 1160, 1224 with amendment and 1283 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 904 with amendment, 907 with amendment and 940 with amendments to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 149 with amendment, 217 with amendment, 401 with amendment, 570, 571 with amendment, 583, 587 with amendment, 631 with amendment, 635, 723 with amendment, 732 with amendment, 733 with amendment, 998, 1152 with amendment, 1394 with amendment and 1418 with amendment; also, recommend that Senate Bills Nos. 248 with amendment, 249 with amendment, 263 with amendment, 381 with amendment, 400 with amendment, 404 with amendment, 562, 574 with amendment, 584 with amendment, 585 with amendment, 824 with amendment, 831, 859 with amendment, 864 with amendment and 987 be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson
April 5, 2017

The Speaker announced that he had referred Senate Bills Nos. 149 with amendment, 217 with amendment, 401 with amendment, 570, 571 with amendment, 583, 587 with amendment, 631 with amendment, 635, 723 with amendment, 732 with amendment, 733 with amendment, 998, 1152 with amendment, 1394 with amendment and 1418 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 248 with amendment, 249 with amendment, 263 with amendment, 381 with amendment, 400 with amendment, 404 with amendment, 562, 574 with amendment, 584 with amendment, 585 with amendment, 824 with amendment, 831, 859 with amendment, 864 with amendment and 987 to the Committee on Finance, Ways and Means.

SUBCOMMITTEE APPOINTMENT

Pursuant to Rule 83(3), Senator Crowe appointed the following subcommittee to the Committee on Health and Welfare:

ANATOMICAL GIFTS SUBCOMMITTEE

Hensley (R), Chairperson; Haile (R) and Overbey (R).

PRESENTATION

Senators Crowe, Dickerson and Johnson presented **Senate Joint Resolution No. 754** from the 109th General Assembly to the family of the late Merle Haggard.

SPEAKER RESUMES CHAIR

Mr. Speaker McNally resumed the Chair.

PRESENTATION

Senator Yager presented **Senate Joint Resolution No. 287** to the Harriman High School boys' basketball team.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 1447 through 1453** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 1447 by Senator Hensley.

Lynnville -- Subject to local approval, amends the town charter generally relative to non-resident voting rights; the vice mayor's appointment date; notice requirements for special meetings of the board of mayor and aldermen; the procedure for adopting ordinances and resolutions; the borrowing of money; the duties, compensation, and benefits of town officers; and the duties and powers of the municipal judge. Amends Chapter 70 of the Acts of 1907; as amended.

Senate Bill No. 1448 by Senator Haile.

Taxes, Hotel/Motel -- As introduced, authorizes the City of Portland to levy a privilege tax upon the privilege of occupancy by a two-thirds vote of its governing body. Amends TCA Title 67, Chapter 4, Part 14.

Senate Bill No. 1449 by Senator Bowling.

Manchester -- Subject to local approval, rewrites the city charter. Amends Chapter 65 of the Private Acts of 1905.

Senate Bill No. 1450 by Senator Norris.

Tipton County -- Subject to local approval, repeals requirement that owners of real property obtain a building permit; repeals authorization to hunt red foxes; repeals provisions relative to litter and refuse control; increases from four to five the membership of the Purchasing Committee; revises certain notice requirements; revises provisions relative to jurisdiction of Purchasing Committee; deletes provision authorizing attorneys to appoint a substitute judge under certain circumstances; deletes provision authorizing the governor to fill a judicial vacancy; requires certain tax proceeds to be used for community development. Amends Chapter 518 of the Private Acts of 1941; as amended.

Senate Bill No. 1451 by Senator Norris.

Tipton County -- Subject to local approval, enacts the Tipton County Budget and Fiscal Procedure Act of 2017.

Senate Bill No. 1452 by Senator Ketron.

Rutherford County -- Subject to local approval, creates new county purchasing act. Amends Chapter 421 of the Private Acts of 1943; as amended.

Senate Bill No. 1453 by Senator Roberts.

Dickson -- Subject to local approval, abolishes the municipal court. Amends Chapter 274 of the Private Acts of 1924; as amended and rewritten.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 39, 61, 147, 166, 315, 527, 577, 636, 768, 903, 1384 and 1392** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

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House Bill No. 39 -- DUI Offenses -- As introduced, requires search warrant or written consent prior to a blood test being performed to determine alcoholic or drug content of a driver's blood. Amends TCA Title 39, Chapter 13; Title 40, Chapter 7, Part 1 and Title 55, Chapter 10, Part 4.

House Bill No. 61 -- Firearms and Ammunition -- As introduced, treats a licensed firearms dealer the same as a private citizen by allowing the dealer to occasionally sell, exchange, or transfer firearms from the dealer's personal collection without conducting a background check on the buyer. Amends TCA Title 39, Chapter 17, Part 13.

House Bill No. 147 -- Local Education Agencies -- As introduced, permits an LEA to file annually with the commissioner of education written policies and procedures developed and adopted by the board, in consultation with local law enforcement, to authorize a school resource officer to patrol within a three-mile radius of the officer's assigned school. Amends TCA Title 49, Chapter 6.

House Bill No. 166 -- Pensions and Retirement Benefits -- As introduced, removes the 90-day limitation on a retired member of the Tennessee consolidated retirement system working as a substitute teacher. Amends TCA Title 8, Chapter 36 and Title 49.

House Bill No. 315 -- Health, Dept. of -- As introduced, authorizes entities that regulate health professionals to issue limited licenses; makes various changes related to reporting of disciplinary matters to licensure entities. Amends TCA Section 10-7-504; Title 63, Chapter 1, Part 1 and Title 68, Chapter 11, Part 2.

House Bill No. 527 -- Alcoholic Beverage Commission -- As introduced, requires the commission to report the number of premier type tourist resort licensees for calendar year 2017 to the appropriate standing committees of the general assembly no later than February 1, 2018. Amends TCA Title 57, Chapter 4, Part 1.

House Bill No. 577 -- Courts, Juvenile -- As introduced, requires an adjudicating court to inform a child of the need to petition the court for expunction of a juvenile record; requires the administrative office of the courts to create and distribute an expunction petition form; requires juvenile court clerks to make the expunction petition form available to all petitioners, and to send notice of the right to petition for expunction to a child when the child attains 17 years of age. Amends TCA Section 37-1-153.

House Bill No. 636 -- Juvenile Offenders -- As introduced, makes various changes to the expunction of juvenile court records, including creating a process for the expunction of juvenile court records for cases in which the juvenile successfully completed pretrial or judicial diversion. Amends TCA Section 37-1-153 and Section 40-32-101.

House Bill No. 768 -- Taxes, Personal Property -- As introduced, clarifies that a delinquent tax attorney preparing to seize personal property may, when delivering notice by mail, deliver the notice by certified, registered, or first class mail. Amends TCA Title 67, Chapter 5.

House Bill No. 903 -- Motor Vehicles -- As introduced, requires the department of safety to develop advisory guidelines for best behaviors of drivers during traffic stops. Amends TCA Title 55, Chapter 8, Part 2.

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House Bill No. 1384 -- Planning, Public -- As introduced, establishes authorization and procedures for housing authorities to redevelop certain areas for transit projects. Amends TCA Title 9, Chapter 23; Title 13, Chapter 20 and Title 29, Chapter 17.

House Bill No. 1392 -- Professions and Occupations -- As introduced, allows a homeowner to cancel a contract for alarm services for a period longer than two years by giving 30 days' written notice to the alarm systems contractor after the initial two years if the homeowner has to sell the real property due to medical reasons. Amends TCA Title 62, Chapter 32, Part 3.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1445 and 1446** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 1445 Local bill -- held on desk.

Senate Bill No. 1446 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 296 through 298 and 300 through 312**; and **Senate Resolutions Nos. 54 through 58** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 296 by Senator Green.
Memorials, Personal Achievement -- Kody Baker, Eagle Scout.

Senate Joint Resolution No. 297 by Mr. Speaker McNally.
Memorials, Public Service -- Lawrence Hahn, Boys & Girls Clubs.

Senate Joint Resolution No. 298 by Senator Southerland.
Memorials, Recognition -- Betty Weemes.

Senate Joint Resolution No. 300 by Senator Southerland.
Memorials, Recognition -- Allan and Bea Brown, 2016 Blanche W. Grady Community Service Award.

Senate Joint Resolution No. 301 by Senator Southerland.
Memorials, Sports -- Greeneville High School Lady Devils soccer team, State Champions.

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Senate Joint Resolution No. 302 by Senator Overbey.

Memorials, Recognition -- Sam Milhollin, 2017 Youth Leadership Award.

Senate Joint Resolution No. 303 by Senator Overbey.

Memorials, Recognition -- Aubrey Randy Burleson, 2017 Community Leadership Award.

Senate Joint Resolution No. 304 by Senator Overbey.

Memorials, Academic Achievement -- Raiha Abbas, Valedictorian, William Blount High School.

Senate Joint Resolution No. 305 by Senator Overbey.

Memorials, Academic Achievement -- Gary Daniel Burns, Salutatorian, William Blount High School.

Senate Joint Resolution No. 306 by Senator Yager.

Memorials, Death -- Garry Kreis.

Senate Joint Resolution No. 307 by Senator Southerland.

Memorials, Professional Achievement -- Perry Massengill, Fisheries Technician of the Year.

Senate Joint Resolution No. 308 by Senator Southerland.

Memorials, Professional Achievement -- John Hammonds, Biologist of the Year.

Senate Joint Resolution No. 309 by Senator Southerland.

Memorials, Public Service -- R.L. "Tom" Carpenter.

Senate Joint Resolution No. 310 by Senator Southerland.

Memorials, Personal Occasion -- Ethel Miller, 106th Birthday.

Senate Joint Resolution No. 311 by Senator Bailey.

Memorials, Death -- Christopher Ryan White.

Senate Joint Resolution No. 312 by Senator Bailey.

Memorials, Retirement -- Dean Headrick.

Senate Resolution No. 54 by Senator Haile.

Memorials, Interns -- Kaleigh Chitwood.

Senate Resolution No. 55 by Senator Gresham.

Memorials, Death -- Leona Riff Edwards.

Senate Resolution No. 56 by Senator Gresham.

Memorials, Death -- Charles Clinton Crow.

Senate Resolution No. 57 by Senator Gresham.

Memorials, Death -- Geneva Briley.

Senate Resolution No. 58 by Senator Roberts.

Memorials, Interns -- Cooper Byers.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 234 through 236 and 238; Senate Joint Resolution No. 295; and Senate Resolution No. 53** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 234 -- Memorials, Sports -- Upperman High School Special Olympics basketball team.

The Speaker announced that he had referred House Joint Resolution No. 234 to the Committee on Calendar.

House Joint Resolution No. 235 -- Memorials, Academic Achievement -- Isabelle Osburn, Salutatorian, Tennessee Virtual Online School.

The Speaker announced that he had referred House Joint Resolution No. 235 to the Committee on Calendar.

House Joint Resolution No. 236 -- Memorials, Academic Achievement -- Kaylee Windham, Valedictorian, Tennessee Virtual Online School.

The Speaker announced that he had referred House Joint Resolution No. 236 to the Committee on Calendar.

House Joint Resolution No. 238 -- Memorials, Sports -- Upperman High School girls' basketball team TSSAA Division I Class AA State Champions.

The Speaker announced that he had referred House Joint Resolution No. 238 to the Committee on Calendar.

Senate Joint Resolution No. 295 -- Memorials, Personal Occasion -- Hazel Allen Gordon, 100th Birthday.

The Speaker announced that he had referred Senate Joint Resolution No. 295 to the Committee on Calendar.

Senate Resolution No. 53 -- General Assembly, Statement of Intent or Position -- Supports inclusion of Chickamauga Hydroelectric Project on National Register of Historic Places.

The Speaker announced that he had referred Senate Resolution No. 53 to the Committee on Finance, Ways and Means.

CONSENT CALENDAR

Senate Joint Resolution No. 278 -- Memorials, Sports -- South Greene High School Lady Rebels, TSSAA Class A State Champions.

Senate Joint Resolution No. 279 -- Memorials, Retirement -- Charlie Garant.

Senate Joint Resolution No. 280 -- Memorials, Recognition -- King University, 150th Anniversary.

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Senate Joint Resolution No. 281 -- Memorials, Recognition -- Dupree Farms, Tennessee Century Farm.

Senate Joint Resolution No. 282 -- Memorials, Interns -- James R. Copley.

Senate Joint Resolution No. 283 -- Memorials, Retirement -- Dennis A. Wolford.

Senate Joint Resolution No. 284 -- Memorials, Retirement -- Russell Kinser.

Senate Joint Resolution No. 285 -- Memorials, Professional Achievement -- Dr. Doug Woolsey, J.W. Massengill Distinguished Service to Agriculture Award.

Senate Joint Resolution No. 286 -- Memorials, Sports -- Morristown Heat travel basketball team.

Senate Joint Resolution No. 288 -- Memorials, Sports -- Mount Pisgah Christian Academy Lady Patriots.

Senate Joint Resolution No. 289 -- Memorials, Death -- Dr. Bill Sanders.

Senate Joint Resolution No. 290 -- Memorials, Sports -- Upperman High School girls' basketball team TSSAA Division I Class AA State Champions.

Senate Joint Resolution No. 291 -- Memorials, Recognition -- Johnson City Community Theatre.

Senate Joint Resolution No. 292 -- Memorials, Recognition -- P.D. Mynatt.

Senate Resolution No. 38 -- Memorials, Recognition -- Metastatic Breast Cancer Awareness Month, July 2017.

Senate Resolution No. 39 -- Memorials, Recognition -- Mount Nebo Missionary Baptist Church, 146th Anniversary.

Senate Resolution No. 40 -- Memorials, Recognition -- Molly Hudgens, Citizens Honor Award.

Senate Resolution No. 41 -- Memorials, Death -- Louise Zirkle.

Senate Resolution No. 42 -- Memorials, Academic Achievement -- Ellison Murphree, Valedictorian, McEwen High School.

Senate Resolution No. 43 -- Memorials, Academic Achievement -- Juliana White, Valedictorian, McEwen High School.

Senate Resolution No. 44 -- Memorials, Academic Achievement -- Corrissa Tummins, Valedictorian, McEwen High School.

Senate Resolution No. 45 -- Memorials, Academic Achievement -- Eliza Keats Komisar, Valedictorian, Creek Wood High School.

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Senate Resolution No. 46 -- Memorials, Academic Achievement -- Sarah Jean Greer, Salutatorian, Creek Wood High School.

Senate Resolution No. 47 -- Memorials, Academic Achievement -- Alexis Hudgins, Salutatorian, Hickman County High School.

Senate Resolution No. 48 -- Memorials, Academic Achievement -- Cooper Mays, Valedictorian, Hickman County High School.

Senate Resolution No. 49 -- Memorials, Academic Achievement -- Devanie Coombs, Valedictorian, South Haven Christian School.

Senate Resolution No. 50 -- Memorials, Academic Achievement -- Andrew Reagan, Salutatorian, South Haven Christian School.

Senate Resolution No. 51 -- Memorials, Academic Achievement -- Kandace Joyce Ailworth, Salutatorian, Pleasant View Christian School.

Senate Resolution No. 52 -- Memorials, Academic Achievement -- Bailey Elizabeth Millett, Valedictorian, Pleasant View Christian School.

House Joint Resolution No. 230 -- Memorials, Professional Achievement -- Dennis A. Wolford, Al Grant Award.

House Joint Resolution No. 231 -- Memorials, Death -- Command Sergeant Major Robert Louis Hatcher.

House Joint Resolution No. 232 -- Memorials, Recognition -- Occupational Therapists.

House Joint Resolution No. 233 -- Memorials, Sports -- Gatlinburg-Pittman High School girls' basketball team.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 413 -- Physicians and Surgeons -- As introduced, enacts the "Visiting Sports Team Act." Amends TCA Title 63.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Visiting Sports Team Act."

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

(a) A physician who is duly qualified to practice medicine under the laws of another state is exempt from the licensure requirements of § 63-6-201, subject to this section, if either of the following applies:

(1) The physician has a written or oral agreement with a sports team to provide care to team members and coaching staff traveling with the team for a specific sporting event to take place in this state; or

(2) The physician has been invited by a national sport governing body to provide services to athletes and coaching staff at a national sport training center in this state or to provide services to athletes and coaching staff at an event or competition in this state that is sanctioned by the national sport governing body.

(b) The exemption provided by this section only applies while:

(1) The physician's practice is limited to that required by the team or the national sport governing body; and

(2) The services provided by the physician are within the physician's scope of practice.

(c) The exemption provided by subsection (a) permits a physician to provide care or consultation to a person specified in subsection (a). Nothing in this section permits a physician exempt by this section to:

(1) Provide care or consultation to any person residing in this state other than a person specified in subsection (a); or

(2) Practice at a licensed healthcare facility in this state.

(d) An exemption pursuant to subdivision (a)(1) is valid while the physician is traveling with the sports team, subject to the following:

(1) The exemption shall not be longer than ten (10) days in duration for each respective sporting event without prior authorization from the board of medical examiners;

(2) The board of medical examiners may grant an extension of not more than twenty (20) additional days per sporting event; and

(3) No physician shall be exempt for more than thirty (30) total days in a calendar year.

(e) An exemption pursuant to subdivision (a)(2) is valid during the time certified by the national sport governing body; however, no physician shall be exempt for more than thirty (30) total days in a calendar year.

(f) No physician exempt pursuant to this section shall dispense or administer controlled substances unless:

(1) The patient to whom the controlled substance is administered or dispensed is over eighteen (18) years of age and is a person described in subdivision (a)(1) or (a)(2); and

(2) The physician reports all controlled substances dispensed or administered to any applicable state controlled substance database in the physician's state of licensure.

(g) For purposes of this section, "sports team" means a professional, semi-professional, or amateur team including, but not limited to, a college, high school, grade school, or non-school affiliated team, such as those associated with the Amateur Athletic Union (AAU).

(h) The board of medical examiners may enter into agreements with medical licensing boards of other states to implement this section. Agreements may include procedures for reporting potential medical license violations.

(i) The board of medical examiners may promulgate rules to effectuate the purposes of this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. Tennessee Code Annotated, Title 63, Chapter 9, is amended by adding the following as a new section:

(a) A physician who is duly qualified to practice medicine under the laws of another state is exempt from the licensure requirements of § 63-9-104, subject to this section, if either of the following applies:

(1) The physician has a written or oral agreement with a sports team to provide care to team members and coaching staff traveling with the team for a specific sporting event to take place in this state; or

(2) The physician has been invited by a national sport governing body to provide services to athletes and coaching staff at a national sport training center in this state or to provide services to athletes and coaching staff at an event or competition in this state that is sanctioned by the national sport governing body.

(b) The exemption provided by this section only applies while:

(1) The physician's practice is limited to that required by the team or the national sport governing body; and

(2) The services provided by the physician are within the physician's scope of practice.

(c) The exemption provided by subsection (a) permits a physician to provide care or consultation to a person specified in subsection (a). Nothing in this section permits a physician exempt by this section to:

(1) Provide care or consultation to any person residing in this state other than a person specified in subsection (a); or

(2) Practice at a licensed healthcare facility in this state.

(d) An exemption pursuant to subdivision (a)(1) is valid while the physician is traveling with the sports team, subject to the following:

(1) The exemption shall not be longer than ten (10) days in duration for each respective sporting event without prior authorization from the board of osteopathic examination;

(2) The board of osteopathic examination may grant an extension of not more than twenty (20) additional days per sporting event; and

(3) No physician shall be exempt for more than thirty (30) total days in a calendar year.

(e) An exemption pursuant to subdivision (a)(2) is valid during the time certified by the national sport governing body; however, no physician shall be exempt for more than thirty (30) total days in a calendar year.

(f) No physician exempt pursuant to this section shall dispense or administer controlled substances unless:

(1) The patient to whom the controlled substance is administered or dispensed is over eighteen (18) years of age and is a person described in subdivision (a)(1) or (a)(2); and

(2) The physician reports all controlled substances dispensed or administered to any applicable state controlled substance database in the physician's state of licensure.

(g) For purposes of this section, "sports team" means a professional, semi-professional, or amateur team including, but not limited to, a college, high school, grade school, or non-school affiliated team, such as those associated with the Amateur Athletic Union (AAU).

(h) The board of osteopathic examination may enter into agreements with medical licensing boards of other states to implement this section. Agreements may include procedures for reporting potential medical license violations.

(i) The board of osteopathic examination may promulgate rules to effectuate the purposes of this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 413**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Kelsey moved that **Senate Bill No. 517** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Mr. Speaker McNally moved that **Senate Bill No. 622** be placed on the Calendar for Monday, April 10, 2017, which motion prevailed.

Mr. Speaker McNally moved that **Senate Bill No. 639** be placed on the Calendar for Monday, April 10, 2017, which motion prevailed.

Senate Bill No. 651 -- Food and Food Products -- As introduced, changes from 15 days to 14 days the time in which a department of agriculture agent must remove a tag or marking on a food, drug, device, or cosmetic item as being adulterated or misbranded if the agent fails to petition for an order of condemnation. Amends TCA Title 53.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all of the language after the caption and substituting the following:

WHEREAS, it is the intent of the General Assembly in enacting this Act to encourage the expansion of agricultural sales by farmers and of the accessibility to farm-produced foods by informed end consumers through:

(a) Facilitating the purchase and consumption of fresh local agricultural products;

(b) Enhancing the agricultural economy; and

(c) Providing Tennesseans with unimpeded access to healthy food from known sources; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-1-208, is amended by adding the following as a new subsection:

(d) This section shall not apply to a farm to consumer distribution point, as defined in § 53-8-203.

SECTION 2. Tennessee Code Annotated, Section 53-8-202, is amended by deleting the section and substituting the following:

(a) It is the purpose of this part to ensure that foods offered for public consumption in Tennessee are safe as prepared, processed, served, packaged, and delivered.

(b) Food service establishments that are located within retail food stores are subject to this part and exempt from regulation in accordance with title 68, chapter 14, part 7.

(c) Farm to consumer distribution points are exempt from this part.

SECTION 3. Tennessee Code Annotated, Section 53-8-203, is amended by adding the following as a new, appropriately designated subdivision:

() "Farm to consumer distribution point" means a temporary or permanent location, that is not open to the general public, where a farmer or the farmer's agent delivers food, produced by the farmer and previously sold under an agreement entered into between the farmer and the consumer, directly to the consumer or the consumer's agent;

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 651**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle,

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Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Harris moved that **Senate Bill No. 669** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Senate Bill No. 679 -- Motor Vehicles -- As introduced, authorizes off-highway vehicles on State Route 116 in Morgan County from its junction with State Route 62 to Rocky Top. Amends TCA Section 55-8-185.

On motion, Senate Bill No. 679 was made to conform with **House Bill No. 34**.

On motion, House Bill No. 34, on same subject, was substituted for Senate Bill No. 679.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 2

AMEND by inserting the following new section immediately preceding the effective date section and renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 55-8-185(c)(1), is amended by adding the following as a new subdivision:

() State Route 53 beginning from the Granville Marina and Resort and ending at the Sutton Homestead in the Town of Granville;

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 34**, as amended, passed its third and final consideration by the following vote:

Ayes 29

Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Senate Bill No. 699 -- Railroads -- As introduced, establishes a liability limit of \$10 million per occurrence or per claim for special passenger excursion train operated by a nonprofit sponsor; requires nonprofit sponsors of such trains to maintain liability insurance. Amends TCA Title 29 and Title 65.

Senator Norris declared Rule 13 on **Senate Bill No. 699**.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 3, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Nonprofit sponsor" means a nonprofit corporation whose purpose includes the historic preservation of documents, memorabilia, and equipment associated with the railroad industry, and public education regarding the history, current functions, and future of railroad transportation and which is exclusive to religious, scientific, literary, or educational purposes within the meaning of 26 U.S.C. § 501(c)(3); and

(2) "Special passenger excursion train" means a train offered by a nonprofit sponsor to the public for operation over a common carrier railroad or railroad authority.

(b) Notwithstanding § 29-39-102 or any other law to the contrary, the liability of a nonprofit sponsor of a special passenger excursion train, the owner or operator of a special passenger excursion train, and the railroad or rail authority over whose tracks the special passenger excursion train is operated, for all claims, whether for compensatory damages or punitive damages, arising from a rail incident or accident occurring in this state and involving a special passenger excursion train shall not exceed the following amounts, based on the number of passengers transported per year as follows:

(1) For up to twenty-five thousand (25,000) passengers per year, ten million dollars (\$10,000,000) per occurrence or per claim; or

(2) For more than twenty-five thousand (25,000) passengers and up to fifty thousand (50,000) passengers per year, twenty million dollars (\$20,000,000).

(c) A nonprofit sponsor of a special passenger excursion train shall maintain liability insurance coverage equal to the amount in subdivision (b)(1) or (b)(2), as applicable. The nonprofit sponsor shall provide evidence of liability insurance coverage in an amount that meets the requirements of this subsection (c) upon demand of the department of transportation.

(d) This section shall not limit the liability of a nonprofit sponsor whose intentional misconduct causes a rail incident or accident.

(e) This section is deleted on May 1, 2022, unless extended by the general assembly before such date. During the second annual session of the 112th general assembly, the government operations committees of the house of representatives

and the senate shall review and make recommendations to the general assembly on whether legislation be considered to extend the operation of this section after May 1, 2022.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 699**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Dickerson moved that **Senate Bill No. 790** be placed on the Calendar for Monday, April 10, 2017, which motion prevailed.

Mr. Speaker McNally moved that **Senate Bill No. 845** be placed on the Calendar for Monday, April 10, 2017, which motion prevailed.

Senate Bill No. 885 -- Alcoholic Beverages -- As introduced, authorizes Ballet Memphis to be licensed as an urban park center for purposes of consumption of alcoholic beverages on premises. Amends TCA Title 57, Chapter 4.

Senate Bill No. 885 passed its third and final consideration by the following vote:

Ayes	23
Noes	2
Present, not voting . . .	1

Senators voting aye were: Briggs, Crowe, Dickerson, Gardenhire, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--23.

Senators voting no were: Beavers and Hensley--2.

Senator present and not voting was: Tracy--1.

A motion to reconsider was tabled.

Senate Bill No. 951 -- Water Authorities -- As introduced, creates a mechanism for the periodic review of programs, strategies, and organizational structures of certain water and wastewater treatment authorities by the general assembly; authorizes the general assembly to

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determine the need for legislative action pursuant to such review. Amends TCA Title 4, Chapter 29; Title 7, Chapter 82, Part 7 and Title 68, Chapter 221.

On motion of Senator Niceley, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Senator Niceley moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting all of the language after the caption and substituting instead the following:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-221-619, is amended by deleting the section in its entirety.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Thereupon, **Senate Bill No. 951**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Senate Bill No. 983 -- Orders of Protection -- As introduced, permits a person who is granted an order of protection and who is not otherwise prohibited from purchasing, possessing, or transporting a firearm to carry a handgun for 60 days after the initial order of protection is issued. Amends TCA Title 36, Chapter 3, Part 6 and Title 39, Chapter 17, Part 13.

On motion, Senate Bill No. 983 was made to conform with **House Bill No. 752**.

On motion, House Bill No. 752, on same subject, was substituted for Senate Bill No. 983.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 3, Part 6, is amended by adding the following new section:

36-3-626.

(a) A person who petitions the court and is granted an order of protection, ex parte or otherwise, pursuant to this part is authorized to, for seven (7) calendar days after that order of protection is granted, carry any handgun, as defined in § 39-17-1319, that the person legally owns or possesses so long as the person has in the person's possession at all times while carrying the handgun a copy of the order of protection.

(b) A person who does not apply for a temporary handgun carry permit under § 39-17-1365 within the time period set forth in § 39-17-1365(a) shall not be authorized to carry a handgun under subsection (a) once that time period has expired.

(c) A person who has applied for a temporary handgun carry permit under § 39-17-1365 may continue to carry a handgun after the time period in this subsection (a) has expired while that application is pending, so long as the person has in the person's possession at all times while carrying the handgun both a copy of the temporary handgun carry permit application receipt as provided by the department and a copy of the order of protection.

SECTION 2. Tennessee Code Annotated, Section 39-17-1308(a), is amended by adding the following as a new subdivision:

() By a person authorized to carry a handgun pursuant to § 36-3-626 or § 39-17-1365;

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following new section:

39-17-1365.

(a) A person who petitions the court and is granted an order of protection, ex parte or otherwise, pursuant to Title 36, Chapter 3, Part 6, may apply for a temporary handgun carry permit from the department of safety within seven (7) calendar days after that order of protection is granted.

(b) To be eligible to receive a temporary handgun carry permit, the person must:

- (1) Apply in person to the department of safety on a temporary handgun carry permit application developed by the department;
- (2) Include a certified copy of the order of protection with the application;
- (3) Provide proof of the person's identity and Tennessee residency by presenting:

(A) A driver license or photo identification issued by the state of Tennessee; or

(B) Other proof satisfactory to the department showing the person's identity and residency; and

(4) Meet the qualifications for the issuance of a handgun carry permit under § 39-17-1351(c).

(c) The department of safety shall conduct a name-based criminal history check in the same manner as set forth in § 39-17-1351(n)(3) upon receiving an application for a temporary handgun carry permit under this section.

(d) If an applicant meets all the requirements of this section, the department of safety shall issue a temporary handgun carry permit to the applicant that shall be valid for sixty (60) calendar days from the date of issuance.

(e) A person issued a temporary handgun carry permit under this section shall carry that permit and a copy of the protective order at all times when carrying a handgun pursuant to this section.

(f) A temporary handgun carry permit issued under this section shall only be valid in Tennessee and shall not be considered as satisfying the requirements of reciprocity with any other state firearm carry provisions.

(g) A temporary handgun carry permit issued under this section may be issued as a letter to the applicant and may be issued without the applicant's photograph.

(h) The issuance of a temporary handgun carry permit under this section does not relieve a person from complying with all requirements of § 39-17-1351 in order to be issued a handgun carry permit pursuant to that section.

(i) A temporary handgun carry permit issued under this section is subject to the provisions of §§ 39-17-1352 - 39-17-1359.

SECTION 4. For the purpose of initiating the process of implementing the requirements of this act, including any programming changes, this act shall take effect upon becoming a law, the public welfare requiring it. For the purpose of implementing the requirements of this act, this act shall take effect thirty (30) days after the date upon which the commissioner of safety provides written notification to the secretary of state and the executive secretary of the Tennessee code commission that the department of safety's "A-list" driver license program is capable of implementing the new requirements of this act or on January 1, 2018, whichever is earlier, the public welfare requiring it. The commissioner shall cause such notification to be published on the website of the department contemporaneously with delivery to the secretary of state and executive secretary of the Tennessee code commission.

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On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 752**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0
Present, not voting . . .	1

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--28.

Senator present and not voting was: Kyle--1.

A motion to reconsider was tabled.

Senator Niceley moved that **Senate Bill No. 989** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Senator Stevens moved that **Senate Bill No. 1087** be placed on the Calendar for Monday, April 10, 2017, which motion prevailed.

Senate Bill No. 1179 -- Public Records -- As introduced, exempts certain records of counties and municipalities from open records law. Amends TCA Title 5, Chapter 1, Part 1; Title 6, Chapter 54; Title 10, Chapter 7 and Title 12.

Senator Overbey declared Rule 13 on **Senate Bill No. 1179**.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 5, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) Except as otherwise provided in this section, any contract or agreement presented to or considered by a county that obligates public funds must, together with all supporting records and documentation, be considered a public record and open for public inspection as of the date such contract or agreement is presented to or considered by the governing body. A governing body shall publicly disclose the proposed contract or agreement in a manner that would adequately notify and fairly inform the public of the proposed contract or agreement before voting on the proposal.

(b) This section does not apply to trade secrets received or maintained by a county. All such trade secrets must remain confidential.

(c) This section does not apply to company documents or records containing marketing information or capital plans that are provided to a county with the understanding that they are now and should remain confidential. Any such document or record must remain confidential until such time as the provider thereof no longer requires its confidentiality.

(d) As used in this section:

(1) "Capital plans" means plans, feasibility studies, and similar research and information that will contribute to the identification of future business sites and capital investments;

(2) "Marketing information" means marketing studies, marketing analyses, and similar research and information designed to identify potential customers and business relationships; and

(3) "Trade secrets" means manufacturing processes, materials used in manufacturing processes, and costs associated with the manufacturing process of a person or company submitting information to a county relating to an opportunity to contract with the county.

SECTION 2. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following as a new section:

(a) Except as otherwise provided in this section, any contract or agreement presented to or considered by a municipality that obligates public funds must, together with all supporting records and documentation, be considered a public record and open for public inspection as of the date such contract or agreement is presented to or considered by the governing body. A governing body shall publicly disclose the proposed contract or agreement in a manner that would adequately notify and fairly inform the public of the proposed contract or agreement before voting on the proposal.

(b) This section does not apply to trade secrets received or maintained by a municipality. All such trade secrets must remain confidential.

(c) This section does not apply to company documents or records containing marketing information or capital plans that are provided to a municipality with the understanding that they are now and should remain confidential. Any such document or record must remain confidential until such time as the provider thereof no longer requires its confidentiality.

(d) As used in this section:

(1) "Capital plans" means plans, feasibility studies, and similar research and information that will contribute to the identification of future business sites and capital investments;

(2) "Marketing information" means marketing studies, marketing analyses, and similar research and information designed to identify potential customers and business relationships; and

(3) "Trade secrets" means manufacturing processes, materials used in manufacturing processes, and costs associated with the manufacturing process of a person or company submitting information to a municipality relating to an opportunity to contract with the municipality.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1179**, as amended, passed its third and final consideration by the following vote:

Ayes	27
Noes	0
Present, not voting . . .	2

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--27.

Senators present and not voting were: Harris and Kyle--2.

A motion to reconsider was tabled.

Senate Bill No. 145 -- Firearms and Ammunition -- As introduced, treats a licensed firearms dealer the same as a private citizen by allowing the dealer to occasionally sell, exchange, or transfer firearms from the dealer's personal collection without conducting a background check on the buyer. Amends TCA Title 39, Chapter 17, Part 13.

On motion, Senate Bill No. 145 was made to conform with **House Bill No. 61**.

On motion, House Bill No. 61, on same subject, was substituted for Senate Bill No. 145.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 61** passed its third and final consideration by the following vote:

Ayes	24
Noes	3

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--24.

Senators voting no were: Harris, Kyle and Yarbro--3.

A motion to reconsider was tabled.

Senate Bill No. 329 -- Professions and Occupations -- As introduced, specifies that a person who holds a master's degree in engineering from an approved institution, has a record of at least four years of progressive experience on certain engineering projects, and has obtained certification as an engineer intern must be registered as an engineer upon passage of an examination. Amends TCA Section 62-2-401.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-2-401(a), is amended by adding the following as a new subdivision:

() **Master's Degree from Approved Institution.** A person who holds a master's degree in engineering from an institution with an ABET accredited engineering program approved by the board as being of satisfactory standing, and with a specific record of twenty (20) years or more of progressive experience on engineering projects of a grade and character that indicates to the board that the applicant is competent to practice engineering and who has passed the Fundamentals of Engineering Examination administered by the National Council of Examiners for Engineering and Surveying (NCEES) shall be admitted to an examination prepared by the NCEES, in the principles and practice of engineering. Upon passing the examination, the applicant shall be granted a certificate of registration to practice engineering in this state if the applicant is otherwise qualified.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it, and is repealed on June 30, 2019, provided that any applicant satisfying the qualifications established pursuant to this act and who is registered as an engineer shall maintain such registration.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 329**, as amended, passed its third and final consideration by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senator Niceley moved that **Senate Bill No. 968** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Senate Bill No. 1238 -- Medical Occupations -- As introduced, amends qualification and record-keeping requirements related to central service technicians. Amends TCA Section 68-11-239.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "under subdivision (d)(1), (d)(2), or (d)(3)" from subdivision (4) in Section 3 and substituting instead the language "under subdivision (d)(1) or (d)(2)".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1238**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tate, Tracy, Watson, Yarbrow and Mr. Speaker McNally --28.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 433 -- Courts, Juvenile -- As introduced, requires the youth services officer, rather than the juvenile court clerk, to file certain information with the council of juvenile and family court judges and the department of children's services in counties that have youth services officers. Amends TCA Title 37.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-506(d), is amended by deleting the subsection in its entirety and substituting instead the following:

(1) Except as provided in subdivision (d)(2), nothing in this section shall be construed to mandate any change in a county's decision regarding the division of reporting responsibility between the juvenile court clerk and the youth services officer or any other juvenile court staff member.

(2) Notwithstanding this section to the contrary, in counties with a youth services officer, the youth services officer shall be responsible for furnishing the information to the department required by subsections (b) and (c).

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

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Senator Jackson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 433**, which motion prevailed by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tate, Tracy, Watson, Yarbrow and Mr. Speaker McNally --28.

A motion to reconsider was tabled.

MOTION

Senator Crowe moved that Rule 83(8) be suspended for the purpose of allowing the calendar for the Committee on Health and Welfare for Monday, April 10, 2017, to be considered timely, which motion prevailed.

MOTION

Senator Watson moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 783, 1197 and 1210** on the calendar for the Committee on Finance, Ways and Means for Tuesday, April 11, 2017, which motion prevailed.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile.

NOTICES

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 224, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 3, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 393, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

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MOTION

Senator Norris moved the Proposed Schedule for the week of April 10, 2017, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
110th GENERAL ASSEMBLY**

**SCHEDULE
WEEK OF APRIL 10, 2017**

MONDAY, APRIL 10, 2017

12:30 p.m. Health & Welfare Committee

3:00 p.m. SESSION – SENATE CHAMBER

TUESDAY, APRIL 11, 2017

8:30 a.m. Finance, Ways & Means Committee meeting jointly
with Government Operations
10:30 a.m. Judiciary Committee
12:30 p.m. Lunch
1:00 p.m. Finance, Ways & Means Committee
2:00 p.m. State & Local Government Committee – **FINAL MEETING**

WEDNESDAY, APRIL 12, 2017

8:30 a.m. Government Operations Committee – **FINAL MEETING**
9:30 a.m. Judiciary Committee
12:00 noon Lunch
1:00 p.m. Finance, Ways & Means Committee
2:30 p.m. Judiciary Committee

THURSDAY, APRIL 13, 2017

8:30 a.m. SESSION – SENATE CHAMBER

MOTION

On motion of Senators Bailey and Bowling, their names were added as sponsors of **Senate Bill No. 145.**

On motion of Senator Bailey, his name was added as sponsor of **Senate Bills Nos. 230 and 583.**

On motion of Senator Yager, his name was added as sponsor of **Senate Bills Nos. 322 and 1224.**

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On motion of Senator Kelsey, his name was added as sponsor of **Senate Bills Nos. 401, 859, 885 and 1152.**

On motion of Senator Bowling, her name was added as prime sponsor of **Senate Bill No. 477.**

On motion of Senator Bowling, her name was added as sponsor of **Senate Bills Nos. 641, 651, 699, 904, 997, 1184, 1192 and 1267.**

On motion of Senator Ketron, his name was added as sponsor of **Senate Bill No. 729.**

On motion of Senator Harris, his name was added as sponsor of **Senate Bills Nos. 851 and 1168.**

On motion of Senator Gardenhire, his name was added as sponsor of **Senate Bill No. 951.**

On motion of Senator Massey, her name was added as sponsor of **Senate Bill No. 983.**

On motion of Senators Briggs and Harris, their names were added as sponsors of **Senate Bill No. 1047.**

On motion of Senators Briggs and Bowling, their names were added as sponsors of **Senate Bill No. 1110.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 1227; and Senate Joint Resolution No. 280.**

On motion of Senator Hensley, his name was added as prime sponsor of **Senate Bill No. 1390.**

On motion of Senator Lundberg, his name was removed as sponsor of **Senate Bill No. 1390.**

On motion of Senator Overbey, his name was added as sponsor of **Senate Joint Resolution No. 281; and House Joint Resolution No. 233.**

On motion of Senator Gresham, her name was added as sponsor of **Senate Joint Resolution No. 289.**

On motion of Senators Crowe and Massey, their names were added as sponsors of **Senate Resolution No. 38.**

On motion of Senator Briggs and Mr. Speaker McNally, their names were added as sponsors of **Senate Resolution No. 41.**

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 230.**

On motion of Senator Watson, his name was added as sponsor of **House Joint Resolution No. 232.**

ENGROSSED BILLS

April 6, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 329, 413, 651, 699, 885, 951, 1179 and 1238; and Senate Joint Resolutions Nos. 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 291 and 292; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

April 6, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolution No. 290, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 18, 449, 528, 567, 844 and 1103; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 88, 100, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 and 251; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 159, 195, 293, 575, 611, 677, 695, 819, 1187 and 1353; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

THURSDAY, APRIL 6, 2017 -- 23RD LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 180, substituted for House Joint Resolution on same subject and concurred in by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 272, 273, 274, 275, 276 and 277; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 290, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

April 7, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 159, 195, 293, 433, 575, 611, 677, 695, 819, 1187 and 1353; and Senate Joint Resolutions Nos. 180, 272, 273, 274, 275, 276, 277 and 290; and Senate Resolutions Nos. 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 230, 231, 232 and 233; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

April 5, 2017

The Speaker announced that he had signed the following: Senate Bills Nos. 20, 198, 231, 238, 273, 274, 281, 286, 428, 506, 510, 693, 823, 1191, 1195, 1211, 1305 and 1318.

THURSDAY, APRIL 6, 2017 -- 23RD LEGISLATIVE DAY

SIGNED

April 7, 2017

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 180, 272, 273, 274, 275, 276, 277 and 290; and Senate Resolutions Nos. 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52.

SIGNED

April 7, 2017

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 230, 231, 232 and 233.

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 20, 198, 231, 238, 273, 274, 281, 286, 428, 506, 510, 693, 823, 1191, 1195, 1211, 1305 and 1318; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

April 5, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 107, 175, 258, 259, 260, 261, 262, 264, 265, 266, 267, 270, 271 and 287; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

April 6, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 20, 198, 231, 238, 273, 274, 281, 286, 428, 506, 510, 693, 823, 1191, 1195, 1211, 1305 and 1318; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

April 5, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 16, 117, 167, 199, 426, 437, 518, 545, 690 and 747; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

THURSDAY, APRIL 6, 2017 -- 23RD LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

April 5, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 107, 175, 258, 259, 260, 261, 262, 264, 265, 266, 267, 270, 271, 287 and 299; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 7, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 32, 139, 213, 232, 237, 262, 275, 377, 543, 694, 709, 842 and 1201; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 10, 2017: Senate Joint Resolution No. 295; and House Joint Resolutions Nos. 234, 235, 236 and 238.

This the 6th day of April, 2017
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 10, 2017: Senate Bills Nos. 357, 568, 665, 763, 837, 927, 956 and 1160; Senate Joint Resolutions Nos. 250 and 294; and House Joint Resolution No. 108.

This the 6th day of April, 2017
MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 10, 2017: Senate Bills Nos. 136, 261, 297, 444, 464, 482, 494, 513, 542, 555, 565, 589, 596, 657, 788, 789, 798, 906, 1244, 1253, 1364 and 1387; Senate Joint Resolution No. 108; and Senate Bills Nos. 609, 622, 639, 790, 845 and 1087.

This the 6th day of April, 2017
MASSEY, Chairperson

THURSDAY, APRIL 6, 2017 -- 23RD LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, April 10, 2017: Senate Bills Nos. 224 and 393.

This the 6th day of April, 2017
MASSEY, Chairperson

ADJOURNMENT

Senator Norris moved the Senate adjourn until 3:00 p.m., Monday, April 10, 2017, which motion prevailed.